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09/479,564	01/07/2000	AKIKO MIYATA	P/3156-13	3214

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EXAMINER
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YUN, EUGENE

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 11/24/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/479,564

Applicant(s)

MIYATA, AKIKO

Examiner

Eugene Yun

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 8, 9, 14, 15, 20-22, 28-30, 32, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enmei (6,067,082) in view of Yoshioka (US 6,385,465).

Referring to Claim 1, Enmei teaches a destination calling control system comprising:

a database (see col. 3, line 42);

an image storage for storing image data (see col. 3, lines 42-43);

a display 3C (fig. 116) for displaying said image data;

area specification means for specifying a destination image area within an image displayed on said display (see fig. 69);

input means for entering destination data corresponding to the destination image area (see col. 30, lines 20-21);

data registration means for calculating coordinate data of said destination image area (see col. 30, lines 22-23), associating said coordinate data with the destination data (see col. 30, lines 23-36), and storing said associated data in said database (see col. 3, lines 42-43); and

calling means 7 (fig. 1) for contacting the destination based on the destination data and the destination area.

Enmei does not teach the destination data chosen from the group consisting of telephone number, fax number, and email. Yoshioka teaches the destination data chosen from the group consisting of telephone number, fax number, and email (see ABSTRACT). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Yoshioka to said device of Enmei in order to allow for a more convenient and user friendly method of contacting another person by a use of a mobile device.

Referring to Claim 9, Enmei teaches a destination calling control method comprising:

- capturing image data (see col. 3, lines 32-34);

- storing the image data (see col. 3, lines 42-43);

- displaying said image data as a displayed image (see 3C of fig. 116);

- specifying a destination image area within said displayed image (see fig. 69);

- entering destination data corresponding to said destination image data (see col. 30, lines 20-21);

- calculating coordinate data for said destination image area (see col. 30, lines 22-23), associating said coordinate data with said destination image area (see col. 30, lines 23-36), and storing the associated data in a database (see col. 3, lines 42-43);

- retrieving destination data by specifying said destination image area (see col. 30, lines 21-22);

calculating said coordinates of said specified destination image area and searching said database for the destination data (see col. 30, lines 23-24); and contacting said destination corresponding to the destination data (see col. 3, lines 46-49 and 7 of fig. 1).

Enmei does not teach the destination data chosen from the group consisting of telephone number, fax number, and email. Yoshioka teaches the destination data chosen from the group consisting of telephone number, fax number, and email (see ABSTRACT). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Yoshioka to said device of Enmei in order to allow for a more convenient and user friendly method of contacting another person by a use of a mobile device.

Referring to Claim 15, Enmei teaches a computer readable program product, said program product configured to execute in a computer the following destination calling control method comprising:

capturing desired image data (see col. 3, lines 32-34) and storing said data (see col. 3, lines 42-43);

displaying said image data (see 3C of fig. 116);

specifying a desired area within an image displayed corresponding to said image data (see fig. 69) and, entering destination data corresponding to a desired image area (see col. 30, lines 20-21);

calculating coordinate data of said desired area (see col. 30, lines 22-23),  
associating said coordinate data with said destination data (see col. 30, lines 23-36),  
and storing said associated data in a database (see col. 3, lines 42-43);

specifying as a destination, the desired area in the image and calculating the  
coordinate of the desired area specified searching said database for the destination  
data based on the coordinate (see col. 30, lines 19-36), and calling the destination  
based on the destination data (see col. 3, lines 46-49 and 7 of fig. 1).

Enmei does not teach the destination data chosen from the group consisting of  
telephone number, fax number, and email. Yoshioka teaches the destination data  
chosen from the group consisting of telephone number, fax number, and email (see  
ABSTRACT). Therefore, it would have been obvious to one of ordinary skill in the art at  
the time the invention was made to provide the teachings of Yoshioka to said device of  
Enmei in order to allow for a more convenient and user friendly method of contacting  
another person by a use of a mobile device.

Referring to Claim 21, Enmei teaches a destination calling control system  
comprising:

- a memory device configured to store a database (see col. 3, line 42);
- an image storage unit for storing image data (see col. 3, lines 42-43);
- a display unit 3C (fig. 116) for displaying the image data;
- an area specification unit configured to allow a user to specify a desired area  
within the image displayed on said display unit (see fig. 69);
- an input unit for entering destination data (see col. 30, lines 20-21);

a data registration unit configured to calculate coordinate data of the area specified by said area specification unit as a destination image area (see col. 30, lines 22-23), associating the coordinate data with the destination data entered from said input unit (see col. 30, lines 23-36), and to register the associated data in said database (see col. 3, lines 42-43);

a destination data search unit configured to calculate the coordinates of the area specified by said area specification unit as a destination and to search said database for the destination data based on the coordinates (see col. 30, lines 21-24); and

a calling unit calling the destination based on the destination data obtained by said destination data search unit (see col. 3, lines 46-49 and 7 of fig. 1).

Enmei does not teach the destination data chosen from the group consisting of telephone number, fax number, and email. Yoshioka teaches the destination data chosen from the group consisting of telephone number, fax number, and email (see ABSTRACT). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Yoshioka to said device of Enmei in order to allow for a more convenient and user friendly method of contacting another person by a use of a mobile device.

Referring to Claim 2 and 22, Enmei also teaches said display comprising a touch screen (input pen 55 of fig. 116 is used to touch screen).

Referring to Claims 8 and 28, Enmei also teaches said data registration means defining an outline of said destination image area, calculating the coordinate data of

said outline, associating said coordinate data with said destination data, and storing said associated data in said database (see col. 30, lines 19-36).

Referring to Claims 14 and 20, Enmei also teaches the coordinate area of said destination image area obtained by extracting an outline of a destination object in said destination image area and by calculating said coordinates of an area encircled by said outline (see col. 30, lines 19-36).

Referring to Claim 29, Enmei also teaches destination data search means for calculating coordinates of a selected area indicating a destination image area for searching said database means for the destination data associated with the coordinates (see col. 30, lines 21-24); and

calling means for calling the destination associated with the destination data obtained by said destination data search means (see col. 3, lines 46-49).

Referring to Claim 30, Enmei teaches a destination calling control method comprising:

capturing an image (see col. 3, lines 32-34);

storing said image (see col. 3, lines 42-43);

selecting a portion of said image (see 553 of fig. 69);

entering destination data corresponding to said portion of said image (see col. 30, lines 20-21);

storing said destination data corresponding to said portion of said image (see col. 32, lines 35-39);



retrieving said destination data by selecting said portion of said image (see col. 32, lines 26-28); and

dialing a call utilizing said destination data (see col. 3, lines 46-49 and 7 of fig. 1). Enmei does not teach the destination data chosen from the group consisting of telephone number, fax number, and email. Yoshioka teaches the destination data chosen from the group consisting of telephone number, fax number, and email (see ABSTRACT). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Yoshioka to said device of Enmei in order to allow for a more convenient and user friendly method of contacting another person by a use of a mobile device.

Referring to Claim 32, Enmei teaches a destination calling apparatus comprising:  
a memory for storing an image (see col. 3, lines 42-43);  
a display 3C (fig. 116) for displaying said image;  
a selector for selecting a portion of said image (see 553 of fig. 69);  
an input device for entering destination data corresponding to said portion of said image (see col. 30, lines 20-21);

a register for calculating coordinate data for said portion of said image (see col. 30, lines 22-23), associating said coordinate data with said destination data (see col. 30, lines 23-36), and storing said associated data in said memory (see col. 30, lines 13-36);

a searcher for retrieving destination data based on coordinates of a portion of said image selected by said selector (see col. 32, lines 26-28); and

a calling device for calling using the destination data retrieved by said searcher (see col. 3, lines 46-49 and 7 of fig. 1).

Enmei does not teach the destination data chosen from the group consisting of telephone number, fax number, and email. Yoshioka teaches the destination data chosen from the group consisting of telephone number, fax number, and email (see ABSTRACT). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Yoshioka to said device of Enmei in order to allow for a more convenient and user friendly method of contacting another person by a use of a mobile device.

Referring to Claim 33, Enmei also teaches said program product carried on a medium (see col. 3, lines 31-49).

3. Claims 3-7, 10-13, 16-19, 23-27 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enmei and Yoshioka in view of Suzuki (02-113657 "cited in IDS").

Regarding Claims 3 and 23, the combination of Enmei and Yoshioka does not teach image pasting means for pasting a title image created by a title image creation means and the plurality of destination images captured by said image capturing means and for storing the pasted images. Suzuki teaches image pasting means for pasting a title image (see fig. 4) created by a title image creation means and the plurality of destination images 1-16 (fig. 4) captured by said image capturing means and for storing the pasted images. Therefore, it would have been obvious to one of ordinary skill in the

art at the time the invention was made to provide the teachings of Suzuki to said device of Enmei in order to even further increase the user friendliness of a mobile device.

Referring to Claim 4 and 24, Suzuki also teaches said display displaying said title image as a reference and allowing the user to scroll across the paste image (see fig. 4 where scrolling across the paste image is required for a destination selection to be made).

Referring to Claims 6 and 26, Suzuki also teaches the image comprising a photographic image (see fig. 2).

Referring to Claims 7 and 27, Enmei also teaches a handwritten input image created by the title image creator (see fig. 12).

Regarding Claims 10 and 16, Suzuki also teaches creating a paste image by pasting a plurality of destination images with a title image (see images 1-16 combined into one image in fig. 4).

Regarding Claim 31, Suzuki also teaches said image including at least a portion of a person (see fig. 2).

Regarding Claims 5, 11, 17, and 25, Yoshioka also teaches assigning unique number in a numeric keypad to a paste image, and displaying the destination image or the title image in response to the number of the numeric key that is pressed (see col. 8, lines 9-30).

Regarding Claims 12, 13, 18 and 19, Suzuki also teaches a photographic image or a handwritten image used as the destination image constituting said paste image (see figs. 2 and 4).

***Response to Arguments***

4. Applicant's arguments with respect to claims 1-33 have been considered but are moot in view of the new ground(s) of rejection.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (703) 305-2689. The examiner can normally be reached on 8:30am-5:30pm Alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Eugene Yun  
Examiner  
Art Unit 2682

EY

  
**VIVIAN CHIN**  
SUPERVISORY PATENT EXAMINER  
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